

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CTIA - THE WIRELESS ASSOCIATION®,

Plaintiff,

v.

THE CITY AND COUNTY OF SAN
FRANCISCO, CALIFORNIA,

Defendant.

Case No. 3:10-cv-03224 WHA

**~~PROPOSED~~ FINAL JUDGMENT,
DECLARATORY RULING AND
PERMANENT INJUNCTION FOR
PLAINTIFF**

~~PROPOSED~~ FINAL JUDGMENT

The Court has reviewed the Parties' Stipulation Regarding Entry of Final Judgment and concludes that it is appropriate for the Court to enter this Final Judgment for Plaintiff, a Declaratory Ruling, and Permanent Injunction.

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. The City's Cell Phone Right to Know Ordinance, and any implementing regulations and materials promulgated by the City Department of Environment thereunder, including any versions of same revised in the course of this litigation, are **DECLARED TO BE INVALID** under the First Amendment to the United States Constitution.

2. Defendant and each of its officers, principals, agents, servants, employees, successors and assignees, are **PERMANENTLY ENJOINED** from enforcing the City of San Francisco's Cell Phone Right to Know Ordinance and any regulations and materials promulgated thereunder, including any versions of same revised in the course of this litigation.

3. This Final Judgment, Declaratory Ruling, and Permanent Injunction are applicable to the Cell Phone Right to Known Ordinance, as adopted on July 1, 2010, amended on January 7, 2011 and July 26, 2011, and approved by the Mayor on August 3, 2011 (Ordinance Nos. 155-10 and 165-11), which were the subject of the above-captioned litigation, and any and all regulations and materials promulgated thereunder, including any versions of same revised in the course of this litigation..

4. The Court will retain jurisdiction to enforce this judgment through May 22, 2017.

DATED: May 22, 2013.



William H. Alsup
United States District Judge